



2859
Jew

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott D. Landes

Attorney File: 5482

Serial No.: 09/710,966

Examiner: Courson, Tania C

Filed: 11/14/2000

Group: 2859

For: ANCHORING MARKER POST

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Aug 2, 2004 by applicant's attorney, Carl L. Johnson.

Carl L. Johnson

Carl L. Johnson

8-2-04

Date

Honorable Commissioner for Patents

Alexandria, VA 22313-1450

AMENDMENT UNDER RULE 37 C.F.R. 1.111

Sir:

REMARKS

In the Office Action dated May 5, 2004, the Office objected to claim 11 due to informalities, rejected claims 1-12 under 35 U.S.C. 103(a) as being unpatentable over the reference of Ebinger (US Patent No. 3,709,112) in view of the reference of Stuart (US Patent No. 6,461,084); rejected claims 1-7 and 11-12 "under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 of U.S. Patent No. 6,099,203 in view of Ebinger (U.S. Patent No. 3,709,112)" and rejected claims 8-10 under "the judicially created doctrine of obviousness-type double patenting as being unpatentable